

**REMARKS**

This Amendment and Response to Non-Final Office Action is being submitted in response to the non-final Office Action mailed June 16, 2005. Claims 1-29 are pending in the Application. Claims 1-29 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claims 1-7, 12-21, and 26-29 stand rejected under 35 U.S.C. 102(b) as being anticipated by Gabbay et al. (U.S. Patent No. 4,250,425).

In response to these rejections, Claims 1, 9, 11, 15, 23, 25, and 29 have been amended to further clarify the subject matter which Applicants regard as the invention and Claims 8 and 22 have been canceled. The amendments are fully supported in the Specification, Drawings, and Claims of the Application and no new matter has been added. Based upon the amendments, reconsideration of the Application is respectfully requested in view of the following remarks.

**Rejection of Claims 1-29 Under 35 U.S.C. 112, Second Paragraph:**

Claims 1-29 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

In response to this rejection, Claims 1-29 have been selectively amended to remove or make clear nebulous phrases, such as "capable of," "wherein," and "designed to," as well as the limitations that such phrases convey. As a result, Claims 2-7 and 12-14 now depend from independent claims that clearly and positively recite structural features, though some of these dependent claims permissibly recite functional features.

Therefore, Applicants submit that the rejection of Claims 1-29 under 35 U.S.C. 112, second paragraph, has now been overcome and respectfully request that this rejection be withdrawn.

**Rejection of Claims 1-7, 12-21, and 26-29 Under 35 U.S.C. 102(b) – Gabbay et al.:**

Claims 1-7, 12-21, and 26-29 stand rejected under 35 U.S.C. 102(b) as being anticipated by Gabbay et al. (U.S. Patent No. 4,250,425).

In response to this rejection, independent Claims 1, 15, and 29 have been amended to substantially recite the common element/limitation of now-canceled Claims 8 and 22 (“*at least one target configured to let electron beams pass therethrough and strike another target at predetermined intervals*”). This element/limitation is not otherwise rejected by Examiner as being disclosed by Gabbay et al. or any other reference and, thus, is presumably allowable.

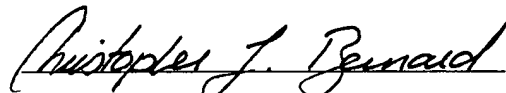
Therefore, Applicants submit that the rejection of Claims 1-7, 12-21, and 26-29 under 35 U.S.C. 102(b) has now been overcome and respectfully request that this rejection be withdrawn.

CONCLUSION

Applicants would like to thank Examiner for the attention and consideration accorded the present Application. Should Examiner determine that any further action is necessary to place the Application in condition for allowance, Examiner is encouraged to contact undersigned Counsel at the telephone number, facsimile number, address, or email address provided below. It is not believed that any fees for additional claims, extensions of time, or the like are required beyond those that may otherwise be indicated in the documents accompanying this paper. However, if such additional fees are required, Examiner is encouraged to notify undersigned Counsel at Examiner's earliest convenience.

Respectfully submitted,

Date: June 28, 2005

  
Christopher L. Bernard  
Registration No.: 48,234

**DOUGHERTY, CLEMENTS, HOFER, BERNARD & WALKER**  
1901 Roxborough Road, Suite 300  
Charlotte, North Carolina 28211 USA  
Telephone: 704.366.6642  
Facsimile: 704.366.9744  
cbernard@worldpatents.com